

**Re: superfund****Sabrina Forrest** to: kerwintm

09/14/2011 10:15 AM

From: Sabrina Forrest/R8/USEPA/US

To:

Cc: JWells@silverton.co.us, Daniel Heffernan/R8/USEPA/US@EPA, Jennifer Lane/R8/USEPA/US@EPA

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Hi Terry, Thank you very much for having us come to your meeting Monday evening and for spending the time to write to me regarding your very valid concerns. These and others have been voiced in conversations that we have had with others in our short time in town this week, as well as conversations I have had over the years with community members. I am sure we will hear more as the week progresses. I would encourage you to continue to have conversations with us and your citizens and keep asking questions or forwarding others that come from your constituents. We will do our best to answer them. While I agree that Cement Creek has likely looked the same orange shade for a very long time due to the influence the Red Mountains and local mineralogy have, there are other metals in higher concentrations because of mining. One question often raised is how long will it take for the water to flush through the system and become "normal" again. I have had geologists tell me that it would take thousands to tens of thousands of years for the water situation flowing through the mountain and out these mine adits to "normalize". In the meantime, it is up to us to determine if water quality improvements are worth taking the measures to realize. You're correct that the stakeholders group has had effective solutions, but many of those require some level of maintenance or reworking to continue to have a positive impact on the environment and water and they have been most effective working with mine waste pile issues. Water discharges are more complex, but they have worked on, and are currently collaborating with the Division of Reclamation Mining & Safety to rework/improve on earlier work Sunnyside Gold Corp. did at the Koehler Tunnel to further reduce zinc concentrations that have impacted Mineral Creek and the Animas River. I believe the volumes of water we are working with will take more than low tech solutions to improve, but we are all ears when it comes to ideas on how to manage the water and likely any sludge that treatment processes produce. You are also right that litigation certainly takes time and money; worst is that it takes the time and money away from getting solutions in place. Again, I would encourage ongoing talks about the issue as well as your idea about putting further federal involvement via Superfund to a vote.

I look forward to more discussions with you and others in the community.

Sincerely,

Sabrina Forrest

Site Assessment Manager

U.S. Environmental Protection Agency

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-----"Terry Kerwin" <kerwintm@frontier.net> wrote: -----

To: Sabrina Forrest/R8/USEPA/US@EPA

From: "Terry Kerwin" <kerwintm@frontier.net>

Date: 09/13/2011 01:34PM

Cc: "Jason Wells" <JWells@silverton.co.us>

Subject: superfund

Hi Sabrina;

Even though the meeting was less than welcoming, I think it was good that you did a presentation.

Having lived here for almost 40 years, I'm used to Cement Creek being the way it is. I worry that we don't know where any of this will take us, the plan is perhaps the start, but it seems that once started it can't be stopped. The powers of the state and federal government can be quite intimidating to a local town government. We would rather avoid them unless we're looking for money. (By the way, I'm speaking as "me", not "the mayor") I think there is a strong feeling that we will lose control of our area (which we all love to go out in regularly – that's why we're here!) if we start down the path to remediation of almost any sort. Yes, this is just basic fear.

As a taxpayer, I question whether the cost will reflect the benefit. Certainly, without various options and their associated costs, we have no real handle on whether this will be a worthwhile effort. Since this is out of my realm, I don't know if we're talking 100K or 100million. My knowledge of the stake holders group is quite limited, but it appears that they have done many low cost, low maintenance efforts that have the appearance of working. At various portals they have channeled the water around the dumps via a sheet of plastic – simple, low tech and done.

Treating the water seems to be a straightforward approach, though I would set up the plant near if not in Silverton for the reliability factor. However, I tend to think that if you then create a "sludge" that is now a hazardous waste, you've achieved only a very minor victory. Back when the mine treated the water, they created this gross "guck" that they then dumped in the tailings ponds. Luckily they didn't run out of room before they stopped treating the water. Surely the solution revolves around pulling the metals out in a usable form or creating a sludge that can then be processed to be safe. This is way out of my league!

Over coffee this morning we came up with two humorous solutions. First, drive a tunnel from Gladstoneto the Joker Tunnel by Ironton – no problem!

Second, the eastern slope communities are always looking for more water – here it is! I'm sure there are many more.

If I understand the situation correctly, the EPA doesn't want to waste a lot of time and money on litigation or even on constant bickering (one of our traits). I think the whole thing could be settled via a ballot initiative – I have no idea what the specifics of that initiative would be. The town has an election this coming April in 2012 and the county has an election in November of 2012. Years ago, we thought we might want gambling in Silverton. It was put on the ballot and was soundly defeated – a clear message. The same could be done on the superfund issue – maybe.

Terry Kerwin - milkman